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August 5, 2005

California Fish and Game Commission
1416 Ninth Street
Sacramento, CA 95814

Subject: Marine Life Protection Act - Draft Master Plan Framework, May 23, 2005

Dear Commissioners:

California's extraordinary coastal resources are a vital asset to the state and the nation. By establishing a network of marine protected areas, the Marine Life Protection Act (MLPA) is a significant step in protecting ecosystems and aiding wildlife recovery. Through a collaborative effort, many stakeholders have come together in the development of the Draft Master Plan Framework, an important component in the implementation of the MLPA. Port San Luis supports clear policy guidance and sound planning for California's coastal resources. To this end, we have the following comments and recommendations to improve and strengthen the Master Plan Framework and implementation of the MLPA.

- After several delays, the MLPA was jump-started in August 2004 through a public-private partnership and the selection of a Blue Ribbon Task Force. The task force has several momentous goals, including the preparation of a statewide guide for establishing marine protected areas and the development of alternative proposals of MPAs in the Central Coast region. Both of these tasks are expected to be completed by the end of 2005, and a significant amount of work still needs to be completed and agreed upon by the local stakeholder group.

We do not believe that six months is adequate time to gain consensus on the statewide guide (the Draft Master Plan Framework was released May 23, 2005), collect background data for the regional profile and complete the regional planning, develop alternative proposals of MPAs in the Central Coast region, and conduct feasibility analyses of the proposed MPAs. In comparison, the successful establishment of ten state marine reserves around the Channel Islands was a five year process.

We request that the Commission reconsider this timeline and allow for ample opportunity to complete the assigned tasks.

- One of the first steps in the process for MPA planning is preparing a regional profile (Draft Master Plan Framework, page 19, Figure 2, Step 1.3). The regional profile provides the baseline data necessary for the design and management of the MPAs and is a critical step in the overall process. The MLPA calls for collecting socioeconomic information at this stage of planning, to determine the potential impacts of MPAs on local communities. Data needed for inclusion in the regional profile includes (Draft Master Plan Framework, page 56):
 - Status of recreational, commercial, and other marine resources in the region;
 - Analysis of consumptive and non-consumptive activities affecting living marine resources in the region, including commercial and recreational fishing, diving, point and non-point discharges, among others;
 - Economic contribution of ocean-dependent activities to local and regional economies.

While the Draft Regional Profile of the Central Coast Study Region dated June 30, 2005 provides an overview of the demographics and economy of the region, it does not provide detailed information at the local level and it does not identify the impacts of establishing MPAs to local economies. Understanding the socioeconomic setting is critical in planning, evaluating, and monitoring MPAs.

Adequate socioeconomic analysis should be completed in the planning stage prior to developing the proposals for the MPAs as this information should be incorporated into MPA design. This analysis will not only contribute to decision-making, but also address stakeholders' concerns related to livelihoods, recreation, tourism, and other economic values.

In addition, socioeconomic information in the Regional Profile needs to be sufficient enough to help develop measurable socioeconomic objectives for individual MPAs. Furthermore, the socioeconomic baseline data establishes the threshold for monitoring the results of the MPAs and, again, needs to be sufficiently detailed and precise at the community level to accurately evaluate MPA effectiveness.

- The MLPA calls for adaptive management, which allows for changes in MPA design and the MPA management program. As stated above, to implement an adaptive management program, clear and measurable objectives should be developed to monitor and evaluate design and management. Adaptive management measures should include:
 - A detailed understanding of the socioeconomic impacts;
 - An analysis of fish catches outside of marine reserves, to determine if the reserves contribute to fisheries management;
 - If a historically productive fishing area, which is now depleted, is set aside as an MPA, adaptive management practices should consider a rotation of open and closed areas for commercial fishing.

In addition, because the impacts of natural phenomena and the differences among species' needs can be dramatic, thus making the establishment of effective MPAs very difficult, and because empirical evidence of the impacts of MPAs on fisheries is limited, the design of MPAs should be conservative until adequate information is collected and incorporated through the adaptive management process.

- We also request that all scientific guidelines throughout the document be removed and instead consolidated in the Appendices.

Consideration of these recommendations will improve the decision-making process and foster greater stakeholder support of the MLPA, thus ensuring successful long-term implementation.

Sincerely,



Jay K. Elder, Harbor Manager
Port San Luis Harbor District

JKE: lp

cc: Robert Treanor; Executive Director, Fish and Game Commission
John Kirlin; Executive Director, MLPA Initiative
Kirk Sturm; Ombudsman, MLPA Initiative
Harbor Commissioners